

CLOSED, STAYED, TYPE-I

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:09-cv-00391-BAH**

KISSELOFF v. FEDERAL BUREAU OF INVESTIGATION et al  
Assigned to: Judge Beryl A. Howell  
Cause: 05:552 Freedom of Information Act

Date Filed: 02/26/2009  
Date Terminated: 01/24/2012  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**JEFF KISSELOFF**

represented by **James H. Lesar**  
1003 K Street, NW  
Suite 640  
Washington, DC 20001  
(202) 393-1921  
Fax: (202) 697-3699  
Email: [jhlesar@gmail.com](mailto:jhlesar@gmail.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**FEDERAL BUREAU OF  
INVESTIGATION**

represented by **Alexander Daniel Shoaibi**  
U.S. ATTORNEY'S OFFICE  
555 Fourth Street, NW  
E-4218  
Washington, DC 20530  
(202) 514-7236  
Email: [alexander.d.shoaibi@usdoj.gov](mailto:alexander.d.shoaibi@usdoj.gov)  
**LEAD ATTORNEY**

**James H. Lesar**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**U.S. DEPARTMENT OF JUSTICE**

represented by **Alexander Daniel Shoaibi**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**James H. Lesar**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**JOHN DOE AGENCY 1 THROUGH  
JOHN DOE AGENCY 10**

represented by **Alexander Daniel Shoaibi**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**James H. Lesar**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
02/26/2009	<u>1</u>	COMPLAINT against FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, JOHN DOE AGENCY 1 THROUGH JOHN DOE AGENCY 10 ( Filing fee \$ 350, receipt number 4616018661) filed by JEFF KISSELOFF. (Attachments: # <u>1</u> Civil Cover Sheet)(tr) (Entered: 02/27/2009)
02/26/2009		SUMMONS Issued(4) as to FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (tr) (Entered: 02/27/2009)
03/06/2009	<u>2</u>	NOTICE of Appearance by Alexander Daniel Shoaibi on behalf of FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE (Shoaibi, Alexander) (Entered: 03/06/2009)
03/30/2009	<u>3</u>	Consent MOTION for Extension of Time to <i>Respond to Complaint</i> by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, JOHN DOE AGENCY 1 THROUGH JOHN DOE AGENCY 10 (Attachments: # <u>1</u> Text of Proposed Order)(Shoaibi, Alexander) (Entered: 03/30/2009)
03/30/2009		MINUTE ORDER: Upon consideration of <u>3</u> defendants' motion for extension of time, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; defendants shall answer or otherwise respond by not later than May 14, 2009. SO ORDERED. Signed by Judge John D. Bates on 3/30/09. (lcjdb1) (Entered: 03/30/2009)
03/31/2009		Set/Reset Deadlines/Hearings: Answer due by 5/14/2009, (kc ) (Entered: 03/31/2009)
05/14/2009	<u>4</u>	ANSWER to <u>1</u> Complaint by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, JOHN DOE AGENCY 1 THROUGH JOHN DOE AGENCY 10. Related document: <u>1</u> Complaint filed by JEFF KISSELOFF.(Shoaibi, Alexander) (Entered: 05/14/2009)
05/14/2009	<u>5</u>	ORDER requiring parties to submit proposed briefing schedule. Signed by Judge John D. Bates on 5/14/09. (lcjdb1) (Entered: 05/14/2009)
05/18/2009		Set/Reset Deadlines: Proposed Briefing Schedule due by 6/5/2009. (tb, ) (Entered: 05/18/2009)
05/22/2009	<u>6</u>	Joint MOTION to Stay by JEFF KISSELOFF, FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, JOHN DOE AGENCY 1 THROUGH JOHN DOE AGENCY 10 (Attachments: # <u>1</u> Text of Proposed Order)(Shoaibi, Alexander) (Entered: 05/22/2009)
05/22/2009		MINUTE ORDER: Upon consideration of <u>6</u> the parties' joint motion to stay this case for 60 days, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; it is further ORDERED that the parties shall file a proposed briefing schedule pursuant to the Court's May 14, 2009 Order by not later than August 5, 2009. SO ORDERED. Signed by Judge John D. Bates on 5/22/09. (lcjdb1) (Entered: 05/22/2009)
05/26/2009		Set/Reset Deadlines: Proposed Briefing Schedule due by 8/5/2009. (tb, ) (Entered: 05/26/2009)
08/03/2009	<u>7</u>	Second MOTION to Stay by JEFF KISSELOFF, FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, JOHN DOE AGENCY 1 THROUGH JOHN DOE AGENCY 10 (Attachments: # <u>1</u> Text of Proposed Order)(Shoaibi, Alexander) (Entered: 08/03/2009)
08/04/2009		MINUTE ORDER: Upon consideration of <u>7</u> the parties' joint motion to stay, and the entire record herein, it is hereby ORDERED that the motion is GRANTED and this case is further STAYED until October 5, 2009. It is further ORDERED that the parties shall file a proposed briefing schedule by not later than October 5, 2009. SO ORDERED. Signed by Judge John D. Bates on 8/4/09. (lcjdb1) (Entered: 08/04/2009)

10/02/2009	<u>8</u>	Third MOTION to Stay by JEFF KISSELOFF, FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, JOHN DOE AGENCY 1 THROUGH JOHN DOE AGENCY 10 (Attachments: # <u>1</u> Text of Proposed Order)(Shoaibi, Alexander) (Entered: 10/02/2009)
10/07/2009		MINUTE ORDER: Upon consideration of <u>8</u> the parties' joint motion to stay, and the entire record herein, it is hereby ORDERED that the motion is GRANTED and that this case is further STAYED until December 4, 2009. It is further ORDERED that the parties shall file a proposed briefing schedule by not later than December 4, 2009. SO ORDERED. Signed by Judge John D. Bates on 10/7/2009. (lcjdb1) (Entered: 10/07/2009)
12/02/2009	<u>2</u>	Consent MOTION to Stay <i>Proceedings</i> by FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCY 1 THROUGH JOHN DOE AGENCY 10, JEFF KISSELOFF, U.S. DEPARTMENT OF JUSTICE (Lesar, James) (Entered: 12/02/2009)
12/02/2009		MINUTE ORDER: Upon consideration of <u>9</u> the parties' joint motion to stay, and the entire record herein, it is hereby ORDERED that the motion is GRANTED and that this case is further STAYED until February 3, 2010. It is further ORDERED that the parties shall file a proposed briefing schedule by not later than February 3, 2010. SO ORDERED. Signed by Judge John D. Bates on 12/2/2009. (lcjdb1) (Entered: 12/02/2009)
02/02/2010	<u>10</u>	Joint MOTION to Stay by FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCY 1 THROUGH JOHN DOE AGENCY 10, JEFF KISSELOFF, U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Shoaibi, Alexander) (Entered: 02/02/2010)
02/04/2010		MINUTE ORDER: Upon consideration of <u>10</u> the parties' joint motion to stay, and the entire record herein, it is hereby ORDERED that the motion is GRANTED and that this case is further STAYED until March 5, 2010. It is further ORDERED that the parties shall file a proposed briefing schedule by not later than March 5, 2010. SO ORDERED. Signed by Judge John D. Bates on 2/4/2010. (lcjdb1) (Entered: 02/04/2010)
03/03/2010	<u>11</u>	Joint MOTION to Stay by FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCY 1 THROUGH JOHN DOE AGENCY 10, JEFF KISSELOFF, U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Shoaibi, Alexander) (Entered: 03/03/2010)
03/04/2010		MINUTE ORDER: Upon consideration of <u>11</u> the parties' joint motion to stay, and the entire record herein, it is hereby ORDERED that the motion is GRANTED and that this case is further STAYED until March 19, 2010. It is further ORDERED that the parties shall file a proposed briefing schedule by not later than March 19, 2010. SO ORDERED. Signed by Judge John D. Bates on 3/4/2010. (lcjdb1) (Entered: 03/04/2010)
03/18/2010	<u>12</u>	Joint MOTION to Stay by FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCY 1 THROUGH JOHN DOE AGENCY 10, JEFF KISSELOFF, U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Shoaibi, Alexander) (Entered: 03/18/2010)
03/19/2010		MINUTE ORDER: Upon consideration of <u>12</u> the parties' joint motion to stay, and the entire record herein, it is hereby ORDERED that the motion is GRANTED and that this case is further STAYED until April 9, 2010. Absent extraordinary circumstances, no further stays will be granted. It is further ORDERED that a status conference is scheduled for April 15, 2010, at 9:00 a.m. in Courtroom 8. SO ORDERED. Signed by Judge John D. Bates on 3/19/2010. (lcjdb1) (Entered: 03/19/2010)
04/09/2010	<u>13</u>	Joint MOTION for Order ( <i>Entry of Proposed Briefing Schedule</i> ) by FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCY 1 THROUGH JOHN DOE AGENCY 10, JEFF KISSELOFF, U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order (Briefing Schedule))(Shoaibi, Alexander) (Entered: 04/09/2010)

04/12/2010		MINUTE ORDER: Upon consideration of <u>13</u> the parties' joint proposed briefing schedule and the entire record herein, it is hereby ORDERED as follows: Defendants shall produce to plaintiff 5,000 pages from the JAHAM files by not later than October 1, 2010; plaintiff shall produce to defendants sample documents for a Vaughn index by not later than November 1, 2010; defendants shall file a Vaughn index by not later than January 14, 2011; defendants shall file their motion for summary judgment by not later than March 14, 2011; and plaintiff shall file his cross-motion for summary judgment by not later than April 14, 2011. It is further ORDERED that the status conference currently set for April 15, 2010, is CANCELED. SO ORDERED. Signed by Judge John D. Bates on 4/12/2010. (lcjdb1) (Entered: 04/12/2010)
10/27/2010	<u>14</u>	Consent MOTION for Extension of Time to Amend <i>Vaughn Index and Briefing Schedule</i> , MOTION for Order by JEFF KISSELOFF (Lesar, James) (Entered: 10/27/2010)
10/29/2010	<u>15</u>	ORDER granting <u>14</u> the parties' consent motion to revise the Vaughn index and briefing schedule set forth in this Court's April 12, 2010 Minute Order. See text of order for details. Signed by Judge John D. Bates on 10/29/10. (lcjdb1) (Entered: 10/29/2010)
10/29/2010		Set/Reset Deadlines: Plaintiff's documents for a Vaughn sample index are due by 6/1/2011. Defendants' Vaughn index is due by 7/15/2011. Defendants' motion for summary judgment is due by 9/14/2011. Plaintiff's cross-motion for summary judgment and opposition to defendants' motion for summary judgment is due by 10/14/2011.(lcjdb1) (Entered: 10/29/2010)
01/20/2011		Case reassigned to U.S. District Judge Beryl A. Howell. Judge John D. Bates no longer assigned to the case. (gt, ) (Entered: 01/20/2011)
05/31/2011	<u>16</u>	Joint MOTION to Stay <i>Proceedings</i> by FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCY 1 THROUGH JOHN DOE AGENCY 10, JEFF KISSELOFF, U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Shoaibi, Alexander) (Entered: 05/31/2011)
06/02/2011		MINUTE ORDER (paperless) granting <u>16</u> Joint Motion to Stay. This case is hereby stayed until August 1, 2011. Signed by Judge Beryl A. Howell on June 2, 2011. (lcbah1) (Entered: 06/02/2011)
08/01/2011	<u>17</u>	Joint MOTION to Stay <i>Proceedings</i> by JEFF KISSELOFF (Lesar, James) (Entered: 08/01/2011)
08/03/2011		ORDER granting <u>17</u> Joint Motion to Stay. This case is hereby stayed until October 3, 2011. Signed by Judge Beryl A. Howell on August 3, 2011. (lcbah1) (Entered: 08/03/2011)
09/30/2011	<u>18</u>	Joint MOTION to Stay <i>Proceedings Until November 30, 2011</i> by JEFF KISSELOFF (Lesar, James) (Entered: 09/30/2011)
09/30/2011		MINUTE ORDER (paperless) granting <u>18</u> Joint Motion for Further Stay of Proceedings. This case is hereby stayed until November 30, 2011. Signed by Judge Beryl A. Howell on September 30, 2011. (lcbah1) (Entered: 09/30/2011)
11/29/2011	<u>19</u>	Joint MOTION to Stay by FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCY 1 THROUGH JOHN DOE AGENCY 10, JEFF KISSELOFF, U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Shoaibi, Alexander) (Entered: 11/29/2011)
12/01/2011		MINUTE ORDER (paperless) The parties' <u>19</u> Joint Motion for Further Stay of Proceedings is DENIED. This case has been pending on the Court's docket for almost three years. The parties shall submit, by January 6, 2012, any dispositive motions or a proposed settlement agreement for the Court's consideration. Signed by Judge Beryl A. Howell on December 1, 2011. (lcbah1) (Entered: 12/01/2011)
12/01/2011		Set/Reset Deadlines: Any dispositive motions or a proposed settlement agreement due by 1/6/2012. (alg) (Entered: 12/05/2011)

01/06/2012	<u>20</u>	NOTICE of Settlement by All Parties (Shoaibi, Alexander) (Entered: 01/06/2012)
01/20/2012	<u>21</u>	STIPULATION <i>Settlement Agreement and Dismissal</i> by FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCY 1 THROUGH JOHN DOE AGENCY 10, JEFF KISSELOFF, U.S. DEPARTMENT OF JUSTICE. (Shoaibi, Alexander) (Entered: 01/20/2012)
01/24/2012	<u>22</u>	ORDER re <u>21</u> Settlement Agreement and Dismissal. Signed by Judge Beryl A. Howell on 1/23/12. (alp) (Entered: 01/24/2012)
03/19/2012	<u>23</u>	Joint MOTION for Extension of Time to <i>File Briefing Schedule</i> by FEDERAL BUREAU OF INVESTIGATION, JOHN DOE AGENCY 1 THROUGH JOHN DOE AGENCY 10, JEFF KISSELOFF, U.S. DEPARTMENT OF JUSTICE (Shoaibi, Alexander) (Entered: 03/19/2012)
03/20/2012		MINUTE ORDER (paperless) granting <u>23</u> Joint Motion for Extension of Time to File Briefing Schedule. The parties shall file a briefing schedule on the issue of attorney's fees, if necessary, by April 10, 2012. Signed by Judge Beryl A. Howell on March 20, 2012. (lcbah1) (Entered: 03/20/2012)
03/20/2012		Reset Deadlines: Briefing schedule on issue of attorney fees due by 4/10/2012. (tj ) (Entered: 03/20/2012)
04/10/2012	<u>24</u>	NOTICE of Settlement <i>of Attorney's Fees</i> by All Parties (Shoaibi, Alexander) (Entered: 04/10/2012)